

Extra Page #7
11/13/06

To: Acton Board of Selectmen

From: Greg Niemyski, Chair, Acton Planning Board

Subj: Application: Special permit for Telecommunications Facility
Applicant: Verizon Wireless
Location: 820 Main Street
Hearing: Beginning on 11/28/06

Date: November 6, 2006

Given that the Planning Board has lost 2 voting members recently due to resignations and that we have only one remaining associate member, the Board is placed into a situation with the pending application (named above) where a quorum of the super majority may be impossible, given the members' employment obligations or other circumstances.

Although I live in the vicinity of the proposed facility, under the rules of 40A, I am not a party in interest in the above application. It is my opinion that I can render an impartial decision on this matter. The application is for a cell tower special permit within a commercial zone on an already developed site supporting an ongoing business. This business operation pre-dates my locating to Acton and the purchase of our home.

It is my opinion that, I will not act in a manner which would cause a reasonable person, having knowledge of the relevant circumstances, to conclude that any person can improperly influence or unduly enjoy my favor in the performance of my official duties, or that I am likely to act or fail to act as a result of kinship, rank, position or undue influence of any party or person.

I would therefore ask that you allow me to continue to chair the Board during these hearings.

Respectfully,

A handwritten signature in black ink, appearing to read "Greg Niemyski", with a long horizontal line extending to the right.

Greg Niemyski